

MESSAGE NO: 3283202 MESSAGE DATE: 10/10/2003

MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐  
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-588-048

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 01/01/1981 TO 12/31/1981

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS FOR EXPANDED METAL OF BASE METAL FROM JAPAN (A-588-048-000)

MESSAGE NO: 3283202

DATE: 10 10 2003

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 588 - 048

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PERIOD COVERED: 01 01 1981 TO 12 31 1981

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS  
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR EXPANDED METAL OF BASE  
METAL FROM JAPAN (A-588-048-000)

THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

1. THE FOLLOWING INSTRUCTIONS ARE BEING PROVIDED TO ENSURE THAT THE RECORD IN THIS CASE IS CLEAR REGARDING THE DISPOSITION OF SUBJECT MERCHANDISE PRODUCED BY FUKOKO CORP.(KOYO BOEKI CO., LTD.) AND EXPORTED AND/OR SOLD BY FERROSTAAL AG (A-588-048-000) AND THE PERIOD 01/01/1981 THROUGH 12/31/1981.

2. FOR ALL SHIPMENTS OF EXPANDED METAL OF BASE METAL FROM JAPAN (A-588-048) PRODUCED BY FUKOKO CORP.(KOYO BOEKI CO., LTD.) AND EXPORTED AND/OR SOLD BY FERROSTAAL AG (A-588-048-000), ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION DURING THE PERIOD 01/01/1981 THROUGH 12/31/1981 ASSESS ANTIDUMPING DUTIES AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT AT THE TIME OF ENTRY, SINCE NO ADMINSTRATIVE REVIEW WAS CONDUCTED FOR THIS PRODUCER AND EXPORTER AND/OR SELLER DURING THIS PERIOD.

3. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE AND PERIOD LISTED ABOVE.

4. THE ASSESSMENT OF ANTIDUMPING DUTIES BY BCBP ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT BCBP PAY INTEREST ON OVERPAYMENTS AND ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

5. UPON ASSESSMENT OF ANTIDUMPING DUTIES, BCBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, BCBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT TO RESPOND TO YOUR FORMAL REQUEST (VIA CF 28 OR 29) FOR THE

REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, BCBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY BCBP OFFICERS, THE IMPORTING PUBLIC AND INTERESTED PARTIES PLEASE CONTACT DAVINA HASHMI AT THE OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE AT (202)482-0984 (GENERATED BY G204:SEF).

7. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party